THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION Nos.7000,7001, 7002, 7003, 7008, 7009, 7010, 7019, 7020, 7021, 7026, 7027 and 7028 of 2007

Date: 19.04.2007

W.P.No.7000 of 2007
Between:

B.Sridevi and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

W.P.No.7001 of 2007
Between:

M.Venkata Subbamma and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

W.P.No.7002 of 2007
Between:

C.Venkatasubba Reddy and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

W.P.No.7003 of 2007
Between:

M.Ramana Reddy and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

W.P.No.7008 of 2007

Between:

S.C.P.Rajeswaramma and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

W.P.No.7009 of 2007

Between:

G.Chinna Narasimhulu and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

W.P.No.7010 of 2007

Between:

S.Siva Rami Reddy and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

W.P.No.7019 of 2007

Between:

G.Lakshumma and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

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W.P.No.7020 of 2007

Between:

A.Narapagari Narapa Reddy and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

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W.P.No.7021 of 2007

Between:

S.Chinna Pitchammagari Rami Reddy and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

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W.P.No.7026 of 2007

Between:

A.Sesha Reddy and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

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W.P.No.7027 of 2007

Between:

A.Narapagari Yellamma and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

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W.P.No.7028 of 2007

Between:

G.Chinna Obaiah and others.

....Petitioners

And

The Government of A.P. and others.

....Respondents

COMMON ORDER:

The grievance of the petitioners in this batch of writ petitions is that references under Section 18 of the Land Acquisition Act, 1894 (for short 'the Act') in respect of the lands acquired from them, are not being processed for the past several years.

The lands of the petitioners were acquired, through notifications issued under Section 4(1) of the Act for the purpose of Somasila Project. Declarations under Section 6 of the Act were issued simultaneously. Awards were passed in the year 1999. Not being satisfied with the compensation awarded to them, the petitioners submitted applications under Section 18 of the Act. Their request was acceded to and references were made to the Court of the Principal District Judge, Kadapa with certain objections. They were represented by the Government Pleader. Thereafter, the files were returned once again.

One of the main objections raised by the civil Court is that the references must be made separately for individual claims. The second respondent addressed a letter to the trial Court stating that the matters covered by the respective awards were clubbed and requested that the references may be numbered to settle their claims at the earliest. It appears that the references were not numbered, as yet.

Heard the learned counsel for the petitioners and the learned Government Pleader for Land acquisition.

The whole controversy is as to whether the references made at the instance of the petitioners must be made individually or they can be presented in batches. The trial Court took the view that the claims must be presented individually.

This Court verified from the Registry as to whether there are any standing instructions for insisting on references being made individually. It is replied that there do not exist any such instructions.

It may be true that the claim of each land owner is separate. However, when such claims are clubbed at the time of passing award, be it on account of contiguity or other factors, the civil Court cannot raise any objection for a reference being made in common for the claims covered by the same award.

The matters have already been delayed. The burden on the exchequer increases with each passing day on account of its obligation to pay the interest under various heads. It cannot brook

any further delay.

Therefore, the writ petitions are disposed of, directing that the Court, to which the claims of the petitioners are referred, shall number the same, if they are otherwise in order, without raising any objection as to clubbing of the claims of the`1 petitioners herein. The second respondent shall comply with other objections, within four weeks from today and steps shall be taken to get the O.Ps. numbered latest by 11.06.2007. There shall be no order as to costs.

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19.04.2007

kdl